





# THE COMMONWEALTH.

## THE STRANGER.

BY THE AUTHOR OF "ASHLEY."

I.

A British nobleman and his wife were at breakfast one morning, at their hotel in Paris, in the Rue de Rivoli. Both were young, and she very handsome, he possibly so. She was listlessly playing with her breakfast, and he was gazing after her, and eating at the same time.

"It says here the l'ontaines are to play on Sunday at Versailles," he suddenly exclaimed, laying down the paper and looking at his wife. "Will you go and see them again, Maude?"

"I am tired of sight-seeing, and tired of Paris, too," was her apathetic answer.

"Are you, then, returned with animation, as if not sorry to hear the announcement; when we won't stay in it any longer, Maude? Then shall we leave?"

"Are the letters not late this morning?" was the rejoinder of the Countess.

Lord Hartledon turned round and looked at the timepiece. "Yes, and we are late also. Are you expecting any?"

"I don't know. This chocolate is cold."

"That is easily remedied," said the earl, rising to ring the bell. "They can bring some fresh."

"And keep us waiting for it half an hour," grumbled the Countess.

"The hotel is crammed on every story, up to the moustache. Is not that the right word, Maude? You took me to task yesterday for saying garret. The servants are run off their legs."

"Then the hotel should keep more servants. I am quite sick of having to ring twice for my things; a week ago I wished I was out of the place."

"My dearest Maude, why did you not say so? Where shall we be off to? You were speaking of Germany."

"De l'air, de la Gazette, monsieur," interrupted a waiter, entering the room and laying two letters and the Times before the earl.

"Stop a bit," cried the earl, for the man was turning away again; "we want some more chocolate; this is cold. Tell them in French Maude."

"The Countess did not hear; or, if she heard, did not heed. She had seized upon the letter which bore her address, and was absorbed in its contents."

"Here," said the earl, pushing the chocolate-pot toward the waiter, and calling up the best French he could recollect: "encore du chocolat; trop froide; du chaud de suite. Adieu, adieu, adieu, you know, trépas, et nous besoin de servir."

The man understood; he was accustomed to an Englishman's French, and retired with alacrity; but Lady Hartledon looked cross and impatient.

"Never mind, Maude," said the earl, good humoredly; "it will all come to the same in the long run. I could speak French well once, but I am out of practice."

"Fine French it must have been," thought she. "Who's your letter from?"

"I'll see presently. Let us settle first about our leaving, Maude. Where shall we pitch our tent next? Would you like to go to any of the German spas?"

"Yes. Later. After we have been in London."

"To London?" repeated the earl in surprise.

"We will go to London at once, Percival, stop there for the rest of the season, and then we will go to the spa."

"My dear," he interrupted, his face overcast, "the season is nearly over. It will be of no use to go there now."

"Plenty of use; it is only the middle of June. We shall have six weeks of it, good. Don't look sullen, Percival, for I will not be contract ed."

"But have you considered the difficulties? In the first place, we have no house in town; in the second—"

"Oh yes we have; a very good house."

The earl paused, and looked at her: he thought she was joking.

"Where is it?" asked he, in a merry tone, "over the marble arch?"

"It is in Piccadilly," she coolly replied. "Do you remember, some days ago, I read you an advertisement of a house that was to be let there for the remainder of the season, and remarked that it would suit us?"

"That it might suit us, had we wanted one," put in the earl.

"I wrote off at once to mamma, and begged her to see after it and engaged it for us," continued the Countess, disregarding her husband's amendment. "She now tells me she has done so, and ordered the servants up from Hartledon. By the time this letter reaches me, she says, it will be ready."

The earl, mortified and astonished, could scarcely find words for answer. "You wrote yourself—and ordered a house taken?" he reiterated.

"Yes. You are hard of belief, Percival."

"Then I think it was your duty to have first consulted me, Lady Maude."

"Thank you," laughed the Countess. "I have not been Lady Maude this two months."

"I beg your pardon, Lady Hartledon," he returned, stiffly.

"Now don't pretend to be offended, Percival. I have only said what I feel."

"I am deeply hurt," he rejoined; "too much hurt to express what I feel. I am your husband; why did you think it necessary to covertly conceal from me what you wished and what you were doing? It was my place to make these arrangements, not yours."

"You would have shilly-shallied about it till the season was over," rejoined Lady Hartledon. "You know you never had a will of your own; it is a good thing, and I mean to start for home to-night, and you ought to be much obliged to me for arranging things so promptly. I shall call to-day on the friends I care to say good by to, and all I shall want from you is some money for milliners, and those sort of people."

"The earl had risen, and was standing by the window with compressed lips."

"How much money?" he inquired.

"Oh, plenty. I own for lots of things. Have you any orders to convey home to the servants? I shall drop a line to mamma, to say when she may expect us."

"If I have, I can write them," was his reply.

"Allow me to see your mother's letter; I am in the dark, you remember, about this house—all but the bare mention of facts."

The Countess of Hartledon answered was to put the letter into her pocket, out of sight. "Mamma does not like her letters to be seen by all the world," was her only apology. "I shall go and tell my maid to begin packing up."

The Countess left the room as she spoke, and the earl fell into a disconcerting reverie. In marrying his present wife he had acted a most dishonorable part, for he had been for years engaged to another young lady. But he was thrown into the society of the Lady Maude, had been caught by her beauty, and was finally secured by the prompt maneuvering of her mother. Ay, and of herself too; for though she cared not for him, indeed she disliked him, she did care for her title and for the broad lands of Hartledon. The earl walked into the snare and married her; but scarcely had the knot been tied, when he began to wonder whether he had not paid dearly for his whistle. The Countess of Hartledon and Lady Maude Kiron appeared to be totally distinct and dissimilar beings; Lady Maude was all disinterested gentleness and child-like naivety; Lady Hartledon was positive, extravagant, and self-willed. Many another husband has been disastrously astonished by the like metamorphosis; but it is to be hoped that few are conscious, like the earl, of deserving the mortification. He had succeeded to the family honors on the death of

his brother, now some ten months back, who had been drowned in some liner, I cable manner, close to his own estate, Hartledon.

Lord and Lady Hartledon arrived in London, and took possession of the house in question—One intense gratification greeted the earl; it was to find that his wife's mother was not in it. The dangerous illness of a relative had unexpectedly called her to Ireland, and the earl devoutly wished she might stop there. He had a shrewd suspicion that she purposed saddling herself upon him for an indefinite period, and as he had ruled and moulded him to her will before his marriage, she would doubtless be for doing the same thing after it. Lady Hartledon immediately plunged into all the dissipation of the nearly exhausted season, but the earl had never felt less inclined to plunge into anything, unless it was into the waters of oblivion.

On the third day after his arrival, the earl went sauntering down toward the Temple. He was in search of a friend of his, Thomas Carr, the firm and close friend of long years. Many a merry hour had he passed within those two bare dark, dusty rooms, dignified by the name of "Thomas Carr's chambers"—and some said ones. The earl went up the stairs and knocked with his stick, somewhat timid, doubtful knock; not the free, bold knock of a young nobleman; but he was uncertain how he should be received.

Mr. Carr came to the door himself; his clerk was out. He saw who was his visitor, and stood in comic surprise. The earl stepped in and extended his hand, and it was heartily taken.

"You are not offended with me, then, Carr?" cried he, in a tone of relief, which was apparent.

"Nay," said Thomas Carr, "I have no cause to be offended; your sin was not against me."

"Halt, Carr. That's a strong word. Sin?"

"It is spoken," said Mr. Carr, "but I need not speak it again. I am not going to take up the quarrel against you; I was not, I repeat, the injured party."

"Yet you took yourself off in dudgeon, as if you were; leaving me without a groom's man."

"I would not remain to witness your marriage, my conscience could not let me. It was—it was one you ought not to have entered into."

"Well, it is done and over, and need not be raked up again, Carr."

"Certainly not. I have no wish, or right, to rake it up. How is Lady Hartledon?"

"She is very well. We have been staying in Paris since; and now we are come back to this hateful place. I am out of conceit of England just now; I'd far rather have gone to the antipodes."

"Then why did you return to it yet?" inquired Mr. Carr, in surprise.

"My wife would come. And she possesses a will of her own. Carr, it's a fashion, perhaps, for wives to do so."

"Some do, and some don't," rejoined Thomas Carr, who never flattered at the expense of truth. "Are you going down to Hartledon?"

"Hartledon!" retorted the earl, a shiver running through him; in the mind I am in, Carr, I shall never visit Hartledon again; there are some in its vicinity I could not face. Why do you recall disagreeable subjects?"

"Sir," cried Mr. Carr's clerk, bustling in, and addressing his master, "you are waited for at the chambers of Sergeant Gale. The consultation is on."

"I will not detain you, Carr," said the earl; "business before pleasure. Come and dine with us this evening. Here's where we are staying; Piccadilly."

"I have no engagement. I will come with pleasure," said Mr. Carr, taking the earl's card.

"That's as the whim, or her engagements, may take Lady Hartledon. Yesterday it was six, the previous day seven, and the day we arrived five. Come for six; you won't be far out."

The earl left the Temple and sauntered toward home again. He had no engagement on hand, nothing to kill his time. Many a cabman sauntering down held up his hand or his whip; but in the earl's present mood, walking more agreeably than riding. His wife's carriage was at the door, waiting for her, when he reached home, and he met her in the hall hastening to it. She went with him for a moment into the breakfast room.

"I have had some trouble to get it. An extravagant price, too, they ask, considering how soon the house will close. I have secured it."

"Very well," was the earl's reply. "For what hour have you ordered dinner?"

"Eight o'clock," returned the earl, "that's awkward."

"That's late."

"I am going down to Chiswick; all the world will be there; and I am unwearied when I shall be returning. I cannot fix it earlier, and in saying eight, you may have to wait for me."

"I have just asked Carr to dine with us, and told him six."

The color flew into Lady Hartledon's face, and her eyes flashed anger.

"How came you to ask him? How dared you do it?"

His lordship's eyes flashed in turn—flashed with amazement. Dared! The word grated on his ear.

"I do not understand you, Maude; I suppose I can exercise the privilege of inviting a friend to my own table."

"No; not when it is objectionable to me. I dislike that Thomas Carr, and I will not receive him."

"You can have no grounds for disliking him," returned the earl, warmly. "He has been a good and true friend to me for a great portion of my life, and he is a good and true man."

"Too much of a friend, rather," sarcastically spoke the Countess.

"You don't need him now, and can drop him, as he deserves. His going out of the chapel when we were at the altar—what was that but direct insult to me; a plain intimation that he did not approve of our marriage? He would have preferred, do doubt, that you should make a lady of your country flame, Anne Ashton."

A hot spot shone in the earl's cheeks. "Maude," said he, in a temperate, but unmistakable tone, "we shall do well to discard that name from our discussions, and, if possible, from our thoughts; it may be better for both of us."

"And we will also, if you please, discard Thomas Carr's. I will not receive him here, or meet him at the table."

She spoke impatiently, haughtily, and swept out to her carriage. The earl did not follow to place her in it; he positively did not; he left her to the servants. He was exceedingly nettled, and though a most vacillating, easily persuaded man, when face to face, he could be obstinate enough behind people's backs. He rung the bell for Hedges, the butler.

"Her ladyship has ordered dinner for eight," said he, when the man came to him.

"I believe so, my lord."

"It will be inconvenient to me to wait till eight to-day. I shall dine at six, and you can lay it in this room, leaving the dining room for her ladyship. Mr. Carr dines with me."

So Hedges gave the necessary orders, and the earl's dinner was laid for six o'clock in the breakfast room. Thomas Carr came a few minutes before the hour struck. The earl received him in the same room; fearing, perhaps, that the drawing room might be invaded by his wife.

"We have got to ourselves, Carr," was his salutation, "and I am not sorry. My lady is off on some Chiswick expedition, and will dine when she returns from it—which may be any hour between now and midnight."

They enjoyed their dinner much—as they had enjoyed many a one in the earl's bachelor days. When the cloth was removed, they were left alone. The earl looked at his watch, and saw that it was half past eight. "My lord," said he, "a stranger has called and wants to see you. He—"

"I am at dinner," interrupted the earl; "I can-

not see any one now. What are you thinking of, Hedges?"

"So said, my lord, but he will not take No. My lady asked him what he wanted, and—"

"Has Lady Hartledon returned?" again interrupted the earl.

"Her carriage drove up whilst I was denying you to this gentleman, my lord. Her ladyship heard him say he must see you, that important business brought him here, and she stopped in the hall and asked him what it was. He said it was private and could only be entered into with your lordship."

"Who is it, Hedges? Don't you know him?"

Lord Hartledon spoke in a confidential tone. Hedges was a faithful servant, and had been the witness to some of his scrapes when he was Percival Elster.

"I don't know him, my lord. It is the same gentleman I told you of, who came down to Hartledon the week after your lordship's marriage. He wanted to ask five hundred questions about the marriage, and wanted your address abroad, but I did not give it to him; I told him he belied to write I would send the letter. I did not know whether—"

"I don't believe," said the earl, "Go on."

"Just now, when my lady left us in the hall, he asked whether that was the Countess, and she seemed angry at his not telling her his business. He followed her quite to the foot of the stairs, to look after her; I never saw any gentleman stare so."

The earl played with his wine glass, and pondered. "I don't believe I owe a shilling in the world," quoth he, betraying the direction of his thoughts, and speaking to himself, rather than to Hedges or to Mr. Carr. "I have squared up every debt, as far as I know."

"He does not ask a creditor, my lord," returned Hedges; "quite superior to that. He wears a black coat and white neckcloth. I should not have doubted of anything amiss, but for his mysterious knock at Hartledon, and his asking so many questions; and his insisting now upon seeing your lordship, at dinner or not at dinner, his voice and manner all quiet, just as if he possessed the right. I left him in the hall, not knowing whether to admit him or not."

"Show him in somewhere. Lady Hartledon is in the drawing room, I suppose; show him into the dining room."

"Her ladyship's dinner is being laid there, my lord," said the cautious retainer.

"Deuce take it," testily responded the earl, "one can't swing a cat in these cramped hired houses. Show him into my smoking den up stairs."

"Let me go there," said Thomas Carr, "and you can receive him in this room."

"No," said his lordship; "keep to your smoke. Carr, he won't know the room's kept for smoking, unless his nose tells him. Take him there, Hedges."

The butler retired, and Lord Hartledon turned to his guest. "Carr, who can it be?"

"No one to trouble you. If you have over-looked any old debt, you are able to give a cheque for it. But by the description, I should imagine your persevering friend to be a clergyman, or missionary, bent on drawing you of a good subscription."

Lord Hartledon did not raise his eyes; he played with his empty wine glass still, grave and perplexed.

"I serve you well in these cases, Carr?" he suddenly broke out.

"It is time so long gone by, that you have forgotten yours," laughed Mr. Carr. "You have had some, in your days."

"I am not thinking of debt, Carr; that is over for me, thank goodness. But there's no denying that I behaved disgracefully ill to—to you, you know, and Dr. Ashton has good cause to be incensed and is this the notice!"

Thomas Carr paused to consider. He thought it improbable in all respects. The doctor was too respectable a man to do that, he observed. "He is high-minded and honorable, and he is wealthy; it is probable that he would descend to bring his daughter's name before the public, and proclaim her infamy aloud. But for your years blinding you, Hartledon, you would be the last to suspect the Ashton's capable of it."

Lord Hartledon made no reply. A cowardly conscience will convert white into black.

"Besides," continued the barrister, "Dr. Ashton has no need to send a stranger to make inquiries at Hartledon; he was cognisant of all that took place."

"The stranger is up stairs, my lord," interrupted Hedges. "He asked your name, and he said your lordship would know him when you saw him, and there was no need to send in."

"I don't half like facing this fellow, Carr," murmured Lord Hartledon. "Yet what you say of the doctor is just; and I cannot call to mind a single claim there can be upon me."

The earl proceeded up stairs, marshaled, stiffly, by the butler. Hedges resumed the my lady to the servants. He was like the earl, but the earl with some awful terror upon him. His features were of an ashy whiteness, the veins of his brow stood out, his dry lips were drawn away from his teeth, and his throat was working.

"Good heavens, Percival!" uttered Thomas Carr. "What is it? You look as if you had been accused of murder!"

"I have been accused of worse than murder!" gasped the earl; "and, I have done it."

"The words called up strange ideas in the mind of Carr. Worse than murder! Had he quarrelled with the stranger? Had it come to blows?—and Hartledon, what is it? cried he, aloud—'I am beginning to dream.'"

"Carr, you say you saw the earl in a hollow tone. I have asked you for colors for trifles; I ask you now in the extremity of need. Will you stand by me, and aid me with your advice?"

"Y—es," answered Mr. Carr. "Where is your visitor?"

"He is up stairs. He holds a fearful secret of mine, and has me in his power. Do you come back with me, and I will tell you all against his betrayal. You know the law. I say they could not bring it home to me; he says they could."

"I am quite ready," replied Thomas Carr, with alacrity. "I will stand by you now, as ever, Percival."

The earl linking his arm within Thomas Carr's, drew him to the window. There he stood in twilight, bent his forehead down to his friend's shoulders and whispered a strange tale. Anything but coherent it was to the clear mind of Mr. Carr; nevertheless, as he gathered one or two of its points he shrank from Lord Hartledon, and all exclamation of dismay burst from his lips.

As they left the room to go up stairs, Lady Hartledon was coming out of the dining room and crossed their path. She could not help being struck with their countenances: her husband's wearing a livid look of fear, and Mr. Carr's little less so. The latter spoke.

"I hope I see you well, Lady Hartledon."

"Thank you," she answered with a cold courtesy, not choosing to notice the hand he offered; and she walked away.

"Poor Maude! poor Maude!" groaned the earl. "What will become of her if this—if my time comes to light?"

"What indeed?" answered Thomas Carr.

"And our children!" continued the earl, a hot flood of dread arising in his white face.

Mr. Carr said something abruptly; it sounded like "You must have no children," whatever it may have been, Lord Hartledon shuddered.

"Too late, Carr, too late."

They shut themselves in with the stranger, and the conference was renewed. It lasted till quite dark, and the earl rang for lights. The butler brought them himself, but he learnt nothing by the light of Mr. Carr heard them coming, and rose, unbidden to take them from him at the door.

Lady Hartledon's curiosity was excited. She was engaged out that night, but she lingered in the drawing-room, dressed as she was, and kept the door open. When they did at last come out, she descended to look and listen. The stranger left the house, and the earl spoke in the hall to Mr. Carr.

"Now for these books of criminal law, Carr; that you say may tell upon the case."

"I must go down to my chambers for them."

"I know they can't bring it home to me; I know they can't," he uttered, in so painful a cager tone as to prove that he thought they could—

"Go with you, Carr; this is a horrible uncertainty."

"I fear there is little uncertainty about it," was the grave reply of Mr. Carr.

They drove away in a cab. Lady Hartledon went out to her evening party, but her curiosity was powerful excited. It is not surprising, perhaps, that her thoughts should have taken the same direction as her husband's had done—that some unpleasantness was being brought upon by Dr. Ashton.

It was midnight when Lady Hartledon returned. She asked after the earl, and heard he was in the breakfast room, engaged with Mr. Carr. She had no notion of being kept in the dark as to what was going forward and she entered it with a quiet movement and stealthy step.

The table was strewn with books, thick musty folios, but they appeared to do nothing, for Thomas Carr was leaning back in his chair, and the earl's arms were folded before him.

"I have had nothing but worry all my life, of one sort or another," cried the earl, as his wife stole in "and now this comes. If things are driven to extremity, and they find me guilty, Carr—"

"You must separate from Lady Maude," cried Mr. Carr, following the bent of his thoughts, and calling the lady by the title he was most accustomed to, "that's the first thing you must do."

"Separate from her?"

"Immediately. Instantly. For her sake, if not for—"

A slight movement. Mr. Carr stopped and the earl looked round. Lady Hartledon was standing close to them. She turned to her husband, ignoring the presence of Mr. Carr.

"Percival! what is the matter? You have been on the worry ever since that person was her today: a friend of Dr. Ashton's, I presume—"

"What has occurred?"

The gentlemen had risen, and the perspiration broke out over the earl's brow. "It was not a person," he murmured, glancing at Mr. Carr.

"I ask you, Lord Hartledon," she resumed, in an imperious tone, nothing the silent answer, "it requires not a third party to come between man and wife. Can you go with me to my sitting-room?"

"I am off, Lord Hartledon, it is late," said Mr. Carr, hastily gathering the books into a stack.

"Allow these to remain here; I can have them taken to my room to-night, my lady."

He quitted the room and the house; the earl did not attempt to detain him. Lady Hartledon approached her husband.

"Are you ashamed to face me, Lord Hartledon? Do you regret our marriage?"

"Maude, Maude! what are you saying?"

"I heard that insidious man give you strange advice: 'Separate from Lady Maude.' And you listened patiently and did not knock him down!"

"The earl wiped his brow and drew his wife to him. 'Maude, judge him not harshly; he is a true friend to you. He spoke for your sake; for what he believed your true interest. If—if—disgrace should fall upon me, he thought of you, more than of me.'"

"Disgrace," echoed Lady Hartledon, "yes, I should think the girl, whose Ashton is going to make you pay publicly for your folly. Let them do it."

As a drowning man catches at straws, so the earl of Hartledon caught at this notion of his wife's and encouraged it. Anything to stave off the real, the dreadful truth.

"My dearest," he said, "if these things upset me it is for your sake. Promise me, Maude, that you will not interfere into these troubles, or try to penetrate them."

"Oh, if you like," was her reply, "but I suppose it will be public enough. And, Percival, when your chosen companion again ventures to urge the separation of man and wife, ask him whether he thinks he is a true friend to us or an enemy."

"We will not talk about separation let us both pray that it may never be forced upon us," murmured Lady Hartledon, bending his face on to his wife's shoulder, as he had once before bent it that evening on Mr. Carr's. But not to discuss the same tale.

**Notice! Notice!**

MR. JOHN L. BARK, of Georgetown, Ky., wishes to inform the public that the Public School at this place opened on Last Monday Morning, in the second story of One Fellows Hall. It is to be under his care, and he prescribes five days of school free of charge. It is his object to get the school under fair operation—to make it worthy of the city under whose superintendence it is conducted, and to the subject his utmost endeavor shall be devoted. All communications and references to be directed to

R. GILLISPIE, Chairman of the School Trustees.

**Proclamation by the Governor.**

**\$600 REWARD.**

COMMONWEALTH OF KENTUCKY, Executive Department.

WHEREAS, it has been made known to me that JNO. W. HENDRISON and JOHN SUTTON did, on the day of A. D. 1858, kill and murder Wm. Farris in the county of Washington, and have since fled from justice;

Now, therefore, I, CHARLES S. MOREHEAD, Governor of the Commonwealth of Kentucky, by virtue of the power vested in me by law, do hereby offer a reward of Three Hundred Dollars each, for the apprehension and delivery of said Henderson and Sutton to the Jailor of Washington county, within one year from date hereof.

IN TESTIMONY WHEREOF, I have caused the seal of the Commonwealth to be hereunto affixed, at Frankfort, this 25th day of October, A. D. 1858, and in the 6th year of the Commonwealth.

By the Governor: C. S. MOREHEAD.

By T. P. A. Biss, Assistant Secretary.

**DESCRIPTION.**



# THE COMMONWEALTH.

FRANKFORT.

THOMAS M. GREEN, Editor.

MONDAY, OCTOBER 25, 1858.

## Our Exponent of Law and Dispenser of Justice—again.

The Cincinnati *Gazette*, in alluding to the instructions of Judge Nuttall to the jury in the case of the Commonwealth against Evelyn, says that it is the decision of such Judges which makes "Kentucky law." We regret there is reason for the strictures of the *Gazette*. The leading facts proved by the prosecution in the case of the Commonwealth against Evelyn, for the killing of McCurdy, upon an indictment for murder, which was tried at the term of the Franklin Circuit Court just adjourned, attending the commission of the act were about as follows, viz:

About dusk on the night of the last August election, Evelyn came down Main street, crossed St. Clair, and had proceeded some thirty feet down the latter street in a direction from McCurdy, when McCurdy hailed "hurray for Todd," the American candidate for Sheriff; whereupon, Evelyn hailed "hurray for red hell," and turned back, went up St. Clair, crossed over that street to the Northeast corner of St. Clair and Main, where McCurdy stood, and going directly up to him and thrusting his face close to McCurdy's, again hailed "hurray for red hell," adding "what have you to say to that?" To which McCurdy, as the witnesses stated, evidently confused, replied, "I have nothing to say to that, but I say hurray for Todd." Evelyn, with his face still thrust into that of McCurdy's, (if we may use such an expression,) repeated his former words almost precisely; to which McCurdy replied in about the same language we have already given. Evelyn then turned off, walked three or four steps to where a Mr. Menston stood, and asked him if he had a knife. Menston replied "no, but I have a pistol." Evelyn asked for the pistol, which was handed him, cocking it he stepped quietly up to McCurdy, placed its muzzle within eighteen inches of his body and fired. McCurdy ran into a store, opposite the door of which this occurred, and, pursued by Evelyn, ran behind the counter and under it; Evelyn jumped upon the counter and threw his pistol under it at McCurdy, and while he was in the act of getting over the counter McCurdy by running along behind it made his escape at the side door and ran up the street towards the Capital Hotel. Evelyn regained his pistol and pursued McCurdy up the street for the distance of a square, pistol in hand, making inquiry for and swearing he would kill him. McCurdy died in about thirty-six hours, the ball having entered his left side just below the ribs, and badly lacerating him.

The proof on the part of the accused was of a character going to show that, at the time Evelyn committed the act, he was drunk; that his conduct was wild and phrenzied; that he was, however, able to parade the streets without staggering but very little.

Upon this proof, after having denied the various instructions asked for by the Commonwealth, his Honor, Judge Nuttall, instructed the jury in substance: that if they believed the accused was so intoxicated that he was unable to know right from wrong, they must acquit him.

This instruction was not authorized by proof. There was no proof of such a condition on account of drunkenness as authorized Judge Nuttall to hypothecate the fact that the accused was so drunk that he was not able to distinguish between right and wrong. And even if such proof had been presented, his instructions were contrary to law, as we are informed by the highest legal authorities, and as our own understanding teaches us. The law upon this subject since the times of Lord Coke and Sir William Blackstone has been that voluntary drunkenness, so far from excusing or palliating an offense, is an aggravation. Coke says: "A drunkard, who is voluntarius 'drunken,' hath no privilege thereby; but that hurt 'or ill' he doth his drunkenness doth aggravate; 'vate it; nam omne crimen criminet, et incendit, et detegit.'" (1 Inst. 241.) Sir William Blackstone says: "As to criminal voluntariness, 'drunkenness,' which, depriving men of their reason, 'puts them in a temporary phrenzy,' our law 'looks upon this as an aggravation of offense, rather than as an excuse for any criminal misbehavior.'"

It is to counterfeit this excuse, and how weak an excuse it is (though real) will not "suffer a man to privilege one crime by another." (Black. Com. 4th Book 18th page.) The instruction of the Court was, as we have stated, that the jury should acquit the prisoner of all offense if they believed he was so drunk that he did not know right from wrong. Those asked for by the Attorney for the Commonwealth and denied by the Court were, in substance: that if the jury believed voluntary intoxication to have existed in the case of the prisoner to such a degree as to exclude the idea that he could have formed a design or deliberate intention to commit the homicide, that the offense was thereby reduced to manslaughter, but that voluntary drunkenness could not excuse the crime in any case.

In support of this instruction asked for by him, the Attorney for the Commonwealth read from various authors upon criminal law, such as Russell, Wharton, Roscoe, &c., and very clearly demonstrated, to our mind at least, that he was correct, and that there had never been a single case in which it was held that voluntary drunkenness excused the commission of homicide. It was admitted that offenses committed in a state of madness which is the ultimate or remote effect of drinking, as *delirium tremens*, and *mania a potu*, and where the party was in the condition supposed by the Court's instruction, that such madness excused; but, it was contended, that drunkenness which was the direct effect of the voluntary drinking of the accused never excused, but could only affect the question of intention so far as to reduce to manslaughter what would otherwise be murder. The jury treated with deserved contempt the instruction of Judge Nuttall, and, acting upon that asked for by the Commonwealth, found the prisoner guilty of manslaughter and sentenced him to five years imprisonment in the Penitentiary. The various authors quoted by the Attorney for the Commonwealth sustained this position; the curious may refer to Wharton's Am. Law Homicide page 371; Lewis' Crim. Law, 403-405; Russell on Crimes, Vol. 1, page 7-8; 1 Hale 32; American Jurist, Vol. 3, page 5-20; and to any other author that ever wrote on the subject.

It would be useless to demonstrate the effect upon society of such law as his Honor, Judge Nuttall, authoritatively laid down in this case. Let it be settled that drunkenness excuses the commission of homicide in any case, and let the wicked and profligate know the precise condition under which it will excuse, and hundreds of assassins and murderers will adapt their case to the precedent and escape the penalties of the law. Judge Nuttall admitted that he was alone among the judiciary of the country in his opinion, but said that he believed that he was right before "God and the Angels." He is sworn to administer the law, and with this terrible oath upon his soul he gave instructions to a jury which he admits are not law according to any standard authority, and which, too, are fraught with the most infernal consequences to society. Such a course is insufferable on the part of a functionary in whose hands our lives and personal rights are in a great measure placed by law. Is it honest, or fair, for Judge Nuttall to insist upon deciding what our rights are, when he admits that he does not know the rules of law by which they are determined? We cordially unite in the wish expressed by every one we have heard speak of him and his deplorably absurd decisions, that he may resign his office and go home to his fox hounds and hay meadows. There, reposing under the pleasant shades of his own vine and fig tree, surrounded by his beloved and cultivated family, let him smoke his pipe in contentedness of soul and in peace with his kind. If he can obtain an elephant to amuse him by swimming the river at least once a day, his bliss will be perfect. Judge Nuttall is esteemed by his neighbors as an amiable, well meaning man, and it is much better for him to settle quietly down among those who are attached to him, than to be continually exposing himself to ridicule and making the judiciary of Kentucky a laughing stock for other States, by continuing in an office whose duties he is notoriously incompetent to discharge.

THE WORK GOES BRAVELY ON.—One of the meanest acts we have heard of for a long time was the removal of Judge BEN. MONROE from the office of Reporter to the Court of Appeals. Judge Monroe had held the office for eighteen years, having during that time issued eighteen volumes of reports of the decisions of the tribunal of which until recently was so august and so highly venerated throughout the country. Himself an able jurist and possessed of extensive attainments as a lawyer, he had given universal satisfaction as a Reporter, and not the slightest complaint was ever muttered against him in his official capacity even by the most fault-finding and censorious. Learned, industrious and pains taking, he had ably performed every duty incumbent upon him, and had come up to every requirement of his position. As a man and a citizen his conduct had been no less exemplary. A strict and conscientious member of a highly respectable and influential religious denomination, scrupulously honest and upright in all his dealings with his fellow men; as a friend kind, sincere, and frank; as a citizen public spirited and enterprising, not a whisper of reproach had ever been breathed against him in any of these capacities. It could not, then, have been the want of any qualification as a Reporter, or the lack of any necessary attribute in his personal character, which induced the Judges of the Court of Appeals to supersede Judge Monroe, by the appointment of a gentleman wholly inexperienced in the duties of the office. It was partisan prejudice and the vile spirit of proscription dominant in the land which induced these Democratic Judges to be guilty of an act for which they cannot but blush. However, as they were elected as partisan Judges, on account of their political principles, and for no other reason, it is but natural to expect that they will allow their partisan animosities to sway them in their judicial conduct.

The removal of Judge Monroe from the office of Reporter was an act entirely unprecedented in the annals of the Court of Appeals of Kentucky. Since the organization of that court, no Reporter was ever removed or superseded until the case of Judge Monroe, where they were all allowed to continue in office until they died or voluntarily resigned. This was a mark of esteem and reward of services which had always been tendered to the meritorious and deserving. It has been reserved to the period of Locofoco ascendancy in the State and upon the Supreme Bench to make partisan services, and not eminent ability and long service to the State, the test for office, purely ministerial or judicial. In the days gone past, when the Supreme Bench of Kentucky was occupied by able jurists and profoundly learned lawyers instead of county politicians; in those days when the decisions of our Court of Appeals were read and looked to as models of justice and sound law all over the country, the distinguished and pure men who then graced the Bench would have scorned to be guilty of such an act as much as they would the offer of a bribe. They never permitted their political opinions to bias their judgment on the Bench.

We regret for the sake of the Supreme Judges and our own feelings that it has become our duty to animadvert upon their action. We are sorry to see that in assuming the Judicial emine they have not discarded their partisan prejudices and predilections, but that their minds are still jaundiced by political hatred and bad feeling, that they are incapable of even for a moment laying it aside and deciding solely upon the merits of a person without reference to politics. We submit it to their own better judgment to say whether or not the confidence of the people in their impartiality and freedom from all bias will not be shaken by this exhibition of their leanings. When a man who has opposed their election loses his suit, he will be apt to entertain but little respect for the correctness of their decision or the motive which dictated it, especially if his opponent happen to be to their political friend.

Judge McLean delivered an important decision in the U. S. Circuit Court, sitting at Cincinnati, on Thursday, in the case of William Sturges vs. Stetson. The point was whether railroad companies have a right to issue stock at a price below that named in the charter. The Hillsborough and Cincinnati Railroad Company issued and transferred to Wm. Sturges fifteen thousand shares of stock for \$521,677, being less by \$218,333 than the rate (\$50 per share) made in the charter. Sturges subsequently transferred 600 shares to Stetson for his promissory note for \$34,000, which was not taken up. Sturges sued on the note, and the case was taken before the Circuit Court on demurrer. The demurrer was overruled, and the validity of the sale by Sturges sustained.

Some of our friends think that we did Judge Nuttall a little injustice in our article on his instructions in the Shindlebower case. They base their complaints upon the alleged fact that the Commonwealth's Attorney did not read the article from the Code of Practice which says, that "where proof shows the defendant to be guilty of a higher degree of the offense than is charged in the indictment, the jury shall find him guilty of the degree charged in the indictment," and that the Judge was really ignorant of the existence of such a provision in the Crim. Code, whereas we stated that the Attorney for the Commonwealth read and insisted upon the provision being taken into consideration. We have no disposition to do Judge Nuttall any injustice, and are perfectly willing to admit that he was guilty only of culpable ignorance instead of a criminal disregard of the law. In either case our point is gained, he is not fit to be a Judge and ought to study or retire. The Commonwealth's Attorney very probably took it for granted that the Judge knew all about the provision in question, and did not deem it worth while to direct his attention to it as he had already overruled a section equally obligatory.

It has also been objected to our article, that everyone who heard the evidence did not believe the accused guilty of murder. A great many did believe him guilty of that crime, but since hearing very sensible and worthy gentlemen take a different view of the case, we are willing to say that some do not think him guilty of murder. The Grand Jury evidently did not, having twice brought in a true bill for manslaughter. Shindlebower, we understand is an industrious man, doing all he can to earn an honest livelihood. We wish him success, and sincerely hope that his temper may never again lead him into misfortune.

We would call attention to the advertisement of Geo. C. BAIN, of Lexington. We are personally acquainted with Mr. B., and our friends, and business men throughout Kentucky, may rely, implicitly, upon his promptness as a Forwarding Merchant, and the most reasonable charges for attending to any business confided to his care. The best eulogy upon a business man is to say, that whatever he does is done with promptness and for a fair and reasonable compensation. This reputation Mr. Bain has earned during the short time he has been engaged in business. That he will maintain it, no man who knows him will doubt for a moment.

On Thursday night last a negro girl belonging to Hon. James Harlan was horribly burned by her dress taking on fire, from a candle which was placed upon the floor. The girl wore hoops. The family ran to her assistance immediately, but before they could extinguish the flames the negro was so severely injured that it is doubtful whether she can survive. We learn from a witness that the scene was a heart-rending one, the unfortunate girl suffering excruciating agonies. In endeavoring to save her, Mr. and Mrs. Harlan and Gen. John M. Harlan were severely burned about the hands and arms.

The Paris *Flag* states that the post of Secretary of Legation to the Spanish mission was offered to R. W. Woolley, and was declined by him. Perhaps Mr. Woolley thinks his chances good to be nominated for Attorney-General.

A singular trial has just been concluded at Pittsburg. Some time ago a slave, who called himself George W. Ferris, runaway from Tusculum, Ala. Ferris was so white that one not knowing him would not suspect his having negro blood in him. He went to Pittsburg where he passed for a white man, worked at his trade which was that of a bricklayer, and married a white woman by whom he had one child. A white man named Geo. Shaw, also a bricklayer, arrived at Pittsburg, and having known Ferris at Tusculum, recognized him. He informed his master of it, and then enticed Ferris to Kansas, where he was arrested as a fugitive from Alabama and taken back to his owner. Shaw was tried last week at Pittsburg and convicted of kidnapping.

THE KANSAS GOLD MINES.—The accounts from the gold region at Pike's Peak are most encouraging. The mines were believed to be quite as rich as those in California. Very rich diggings had been found on the South Platte, near Cherry Creek.

The miners are reported to be making from three to four dollars per day. They were not, however, devoting much attention to mining, but were preparing for winter. It was the intention of a portion of them to retire into the valley, some sixty miles below the mines, and remain there till spring. They were generally very well provided.

CONSOLATION UNDER DIFFICULTIES.—To compensate Mr. J. Glancey Jones for his recent political misfortune in the Berks County District, the President has offered him the Mission to Vienna. If we were Mr. Jones, we should be glad to accept. We should want to get as far away as possible from an ungrateful constituency, that gave us 6,000 majority two years ago, and gave us nothing at all now. We should certainly go to Austria—if we could not go to Pekin!

The Legislature of Vermont has assembled at Montpelier. C. H. Chapman was elected Clerk of the Senate; Geo. F. Edmunds was elected Speaker of the House; and Charles Cummings was chosen Clerk. The Governor was also installed.

The Philadelphia papers of Wednesday evening contain accounts of the launch of the U. S. steam propeller *Launceston*. She is rated as a sloop, though of unusually heavy tonnage, her register being 2,250 tons. Her length over all is 273 feet one inch; length on spar deck 253 feet; beam 46 feet. She will carry eighteen 9 inch guns, and two 11 inch guns. Her engines will be of unusual power and of the finest make. Her entire cost, when fully equipped and ready for sea, will be about \$700,000.

AN IMPORTANT QUESTION SETTLED IN TENNESSEE.—The Supreme Court of Tennessee has decided "that a naturalized citizen must reside six months in the county after his naturalization before he is entitled to vote." This is the length of time required for a native who removes from another State to entitle him to the same privilege. The Supreme Court of Kentucky decided the question differently.

## Items by Telegraph.

Buffalo, Oct. 20. The fight between Heenan and Morrissey, on Long Point, Canada, to-day, commenced at 20 minutes of four. Heenan made objection to the ground that it was not according to agreement, but as so many had come so far to see the fight he would waive objections and not disappoint them. First round terrible; fighting lasted seven minutes; Heenan throwing Morrissey and drawing the first blood.

2d. Morrissey thrown. 3d. Heenan thrown. 4th. Both weak; Morrissey knocked down by a blow on the under jaw from Heenan's right. 5th, 6th, 7th, and 8th. Heenan thrown. 9th. Both fighting wildly and very much confused, and fall side by side. 10th. Heenan down. 11th. Morrissey very weak, carried to the scratch. Heenan goes alone. A terrible round. Heenan falls fainting. 12th. Morrissey carried to the scratch. Heenan too faint; failed to come to time.

The battle declared won by Morrissey. Eleven rounds were fought in twenty minutes. Both Heenan and Morrissey very badly cut and were brought away on beds. The fight was witnessed by between ten and three thousand. No disturbance among the spectators.

It is understood that Heenan offered to fight Morrissey again for a heavy purse.

Col. Campbell's Morgan mare, Laura Spillman, won a three mile race on the Central race course, Baltimore, on Monday, beating Gonzales and a Child Harold filly. Time—5:57½—6:00.

There was a sale in Philadelphia on Monday, of twenty-five shares Bank of Kentucky stock at \$117.

KENTUCKY RACERS AT MEMPHIS.—A letter from Memphis names the following racers from Kentucky as then in the city. The races there commenced on Tuesday last and closed Saturday: J. L. Bradley, with Des Chises and Nannie Clark.

John M. Clay, with Waterloo and Charley Morgan.

Frank Harper, with Heupland and a two year old Lexington colt.

John Campbell, with Jack Gamble.

Mr. Merriweather, with a g. c. by Ambassador.

The Pennsylvania law against cruelty to animals should be enforced upon Col. Forney and his Press, or perhaps the late member from Berks can get out an injunction to restrain the publication of such articles as the following:

AN EPIGRAPH.  
Over a Favorite Menial of the President of the United States, Recently Deceased.

In England of old it was ever the rule,  
That the King kept his butler and also his fool,  
But in modern Republics one man will suffice  
To be the Court fool, and the butler to be.  
The one who lies here back's marketing dill,  
Gave cards round for dinner to those who were bid,  
And exulted over others, when not asked to dine  
On Executive nutmeg and Cabinet wine.  
This day, on last Tuesday placed over his bones,  
Showed Court fool and butler was named James Jones.

CARRYING THE JOKE TOO FAR.—The addition of Kansas as a slave State, would have made the power of the South equal to that of the North in the Senate.—*Louisville Courier.*

It is amusing to read such a declaration as that. Kansas, as anti-slavery as Massachusetts, ready to send two Black Republicans to the Senate, make the North and South equal! That is carrying the joke rather too far at this late day! —*Lou. Democrat.*

ANOTHER ATTEMPT AT SUICIDE BY IRA STOUT.—We are informed that Ira Stout yesterday made another attempt to destroy his life by seizing the razor with which the barber was shaving his beard. He was not successful in drawing the instrument across his throat, as he intended to do. He has resolved to destroy himself before the fatal moment arrives, and with the ingenuity he possesses may succeed.—*Rich. Dem., Monday.*

THE ADMIRAL'S FLAG.—A naval officer furnishes the following:

WASHINGTON, D. C., Oct. 9, 1858.  
Mr. Editor: The newspapers for the past week have been endeavoring to hoist the Admiral's flag; but all the articles that I have seen are a little in error, and I will endeavor to take the kinks out of the ballads for you.

Before the present law which authorizes Captains commanding squadrons to be styled Flag Officers, there were only called Commodores, and hoisted their flag (a swallow tail blue pennant with thirteen stars) at the main. And when two or more Commodores met the senior in rank kept the blue pennant flying, the second hoisted the red, and the next in rank the white.

Recently the grade of Commodore has been abolished, and with them the broad pennants. Now, Flag Officers whose commissions as Captains bear date twenty years back, hoist a square blue flag at the fore; those whose commissions are less than twenty years old, hoist the same flag at the mizzen.

The square flag at the fore, in all foreign navies, denotes the presence of a Vice Admiral; at the mizzen, a Rear Admiral; and at the main, an Admiral.

QUARTERMASTER.

A correspondent of the Springfield Republican says that a natural daughter of Aaron Burr, and his residuary legatee, comes curiously into possession of quite a fortune, in this way: Burr held a lease from Trinity church of the Richmond Hill property, three or four hundred lots in the centre of New York for 60 years. He re-leased the land for 63 years to Astor and others, and their lease expires in 1860. The lease for three years, then, belongs to Burr's daughter, and the claim is indisputable and the value of the lease very great. Already some of the lessees have compromised the claim for from \$1,500 to \$2,000 per lot.

Flora Temple, the greatest trotter in America, beat Ike Cook again, at Chicago, last Saturday. Time—2:36¼—2:35½—2:36.

MARRIED.

October 5th, at the residence of Dr. J. F. Faint LeRoy, of Clarke county Va., by the Rev. Joseph Jones, George Davidson, of the U. S. Coast Survey, San Francisco, California, to ELLINOR, daughter of the late Robert Henry Faint LeRoy, of the U. S. Coast Survey, and granddaughter of Robert Owens, of New Lanark, Scotland.

GEO. C. BAIN,  
COMMISSION AND FORWARDING  
MERCHANT,  
—AND—  
PRODUCE BROKER,  
LEXINGTON, KENTUCKY.

Dealer in Agricultural Implements, Grain, Produce, Grass Seeds, &c., &c.  
Prompt Attention to Receiving and Forwarding.  
—ALSO—  
Agent for the Valentine Fast Freight Express Line.

Time Receipts given to New York, Boston, Philadelphia, Baltimore, Pittsburgh, Chicago, St. Louis, Memphis, New Orleans.  
Lexington, Oct. 25, 1858—twcwt.

House and Lot for Sale.  
Till large brick house and lot on Broadway street, in Frankfort, adjoining the residence of W. C. Sneed, is offered for sale. Possession may be had immediately, and the terms will be made easy. Apply to G. W. Lewis, or the undersigned.

CADWALLADER LEWIS,  
JOHN G. PRICK,  
Executors of Geo. Lewis, dec.

Aug. 29, 1858—lf.

## SPECIAL NOTICES.

PAGE, GAINES & PAGE,  
FALL IMPORTATION OF 1858,  
SAINT CLAIR STREET.

WE are now in receipt of our Fall stock, which for variety, style, and novelty cannot be surpassed, including in part of—  
RICH DRESS SILKS, RIBBONS, SILK ROBES, LACES AND EMBROIDERIES, ROBES AQUILLE, TRIMMINGS, ROBE A'LES, LINENS, FANCY DRAPELINES AND MERINOES, WHITE GOODS, LACE SETS, COLLARS AND SLEEVES, HOOP SKIRTS, LACE CURTAINS, LADIES' AND DAMASKS.

We have also on hand and will be receiving during the season, a large stock of Staple Goods, English and American Prints, Flannels, Sheetings, Table Damasks, Linens, Broadcloths, Cassimeres, and Vestings, all of the newest and choicest styles.

Hardware and Groceries of all Kinds;  
CARPETS,  
Velvet, Tapestry, and Brussels; 3 Ply and 3 Ply Ingrais; Rugs, Mats, and Oil Cloth;

Quensware and Glass Ware of every Description.

All kinds of Country Produce, Jeans, White and Plaid Linen, Yarn Socks and Stockings, taken in exchange for goods.

Buyers are respectfully invited to call and examine our stock. We can and will offer inducements. Give us a call and judge for yourselves.  
PAGE, GAINES & PAGE.

To the Voters of Kentucky.  
I am a candidate for re-election as Auditor of Public Accounts. My past official conduct is the only guaranty that I can offer for the future.  
Sept. 15, 1858—te.  
THO. S. PAGE.

All the papers in Kentucky will publish the above until the election and send bill to T. S. P.

THE REPORT OF THE  
"Kentucky State Agricultural Society,"  
FOR 1856 AND 1857.

Just published, and for sale at this office, at 50 per cent. To all who feel an interest in the Agricultural Improvement of the State, it is bound in the style of the Report of the Kentucky Geological Survey; it is a volume of 500 pages, embracing a number of cuts of the animals which took premiums at the State Fair, Sept. 24, 1858.  
A. G. HODGES.

LIBERIA,  
AS I FOUND IT, IN 1858.  
By Rev. A. M. COWAN,  
Agent Ky. Colonization Society.

184 pages, Royal Octavo.  
Just published and for sale at this office. Price 75 cents. We will send a copy, postage paid, to any one sending us amount in money or postage stamps.  
June 15, 1858—lf.

JOHN L. MOORE & SON,  
ARE RECEIVING THEIR LARGE STOCK OF  
FALL AND WINTER GOODS,  
IN GREAT VARIETY,  
AND AT VERY LOW RATES!  
Sept. 10, 1858—wctwt.

Liberia.  
The emigrants in Kentucky who intend going to Liberia in this Fall's expedition, will please report themselves to me by letter, at Frankfort, Ky. I shall leave Frankfort for Baltimore on the 25th of October, 1858, to be in time for the sailing of the vessel to Liberia. The public press in Kentucky will please publish this notice.  
ALEX. M. COWAN,  
Ag't. Ky. Col. Soc.  
Frankfort, Sep. 10, 1858.

Rheumatism Cured!  
Not less than about twenty thousand cases, of this painful and paralyzing disease, have already been cured by the use of Dr. Mortimore's celebrated remedy. These comprise cases of every seeming form of the disease, from those of a recent inflammatory (acute) character, to old Chronic cases of ten, twenty, and even thirty years standing, and this after the patients had long been given up as incurable by eminent physicians. Some had taken voyages at sea, spent years of residence in the most salubrious climes, visited the various "Water Cure" establishments, and celebrated Springs, both in this country and Europe, yet had still remained crippled, until they used this remedy, and by its use have been restored to health.

This is a vegetable—internal remedy, prepared and recommended for this one disease alone. *This it cures*, and is perfectly safe to be used in any state of health, even by the most delicate female or child.

Evidence of the highest possible character from physicians, clergymen and others, is published in behalf of this remedy, such as to give it character with every intelligent or reflecting mind. This evidence will be furnished to any address desired. The medicine is sold at \$5 per bottle, five bottles for \$20, or \$40 per dozen, and will be sent by Express, or as directed, to any part of the Union. Apply to or address  
DR. D. MORTIMORE,  
Third St., opposite Journal Office,  
Louisville, Ky.  
August 30, 1858—ly

18th H. Monroe.  
The 13th volume of Ben. Monroe's Reports just published and for sale at this office. Price \$5, or when sent by mail fifty cents additional for postage.

Special Notice.—To the Public.  
We hereby notify our friends and patrons that on and after the 1st of January, 1859, we will consider all accounts due semi annually, viz: 1st of January and 1st of July; and on all accounts not promptly paid at that time, interest will be charged until paid. Thankful for the liberal patronage of our friends and the public, we solicit a continuation of the same, knowing that under our new arrangements that we can and will make it to their interest to patronize us.

We will continue to keep a good assortment of goods for gentlemen's wear.  
GILLESPIE & HEFFNER.  
Jan. 11, 1858—cf.

SPRING MILLINERY.  
Mrs. MARGARET HERRENSMITH has received by Adams Express a fine assortment of SPRING MILLINERY, which she will sell at the lowest market price. [Mar. 10—cf.]

Blank Negotiable Notes.  
BLANK NEGOTIABLE NOTES which can be used for any Bank in Kentucky. For sale at this Office.

For Sale.  
A NEW COTTAGE in South Frankfort. For particulars inquire of  
RODGER KEENON.  
Oct. 8, 1858—lf.

## PUBLIC SALE

OF A  
LIVERY STABLE,  
TOGETHER WITH THE  
STOCK, STABLE FIXTURES, &c.

On Wednesday, 17th of November, 1858,  
I will sell at Public Auction, my  
Livery Stable in the City of Frankfort,

And all my Stock of every kind, consisting of eight Buggies, three Carriages, one Spring-Wagon, one Four Horse Wagon, one Hinko-Wagon, one Sulky, twenty-eight head of Horses, among them three thorough-bred Horses, five or six fine Single Buggy Horses, four or five Fine Saddle Horses, one pair of Buggy Horses, one Fast Trotting Horse, and one Fast Black three year old. Also, all the STABLE FIXTURES, consisting of Harness, Saddles, &c., &c. Also, all of the PROVEDEN on hand at the same time, such as Corn, Oats, Hay, &c., &c. I will also sell at the same time  
A House and Lot on Main Street, near the Stable.

There is a fine well of water in the Stable, and all other conveniences, which, together with its central location, renders it the most desirable Livery Stable stand in the city.

I will also hire out, until the 25th of December next, ALL OF MY STABLE HANDS.

TERMS OF SALE.—For the Stable and House and Lot, one-half cash, and on the balance a credit of 12 months will be given; for the Stock, &c., for all sums under \$25 cash, that amount and over, six months credit; notes negotiable in Bank, with good security, required.

Frankfort, Oct. 28, 1858.

P. S.—Any one desirous of engaging in a profitable business will find this a favorable opportunity, and are invited to call and examine the Stable, Fixtures, &c. before the day of sale. W. R. L. LEX. Obs. & Ret. copy until day of sale and send bill to W. R. L. L.

VICTORY!!  
GEO. B. SLOAT & CO'S

Family Sewing Machine Triumphant!

THESE Machines have been on exhibition at the Louisville Mechanics' Fair for the past six weeks, contending with Wheeler & Wilson's Celebrated Machine, and many others, for the prize of highest examination, by competent Judges, the premium was awarded to SLOAT'S Machine, and now we notice the acknowledgment of the defeated Machine, in the award, by the sudden and material reduction in the price of the defeated Machine.

Sloat's Machines have been introduced in Kentucky since July last; since which time they have rapidly gained in public favor, and such is now the demand for them, in consequence of their superiority and low price, that the manufacturers at Philadelphia are turning out 200 per week, and the demand not fully met. There is no other Sewing Machine now before the public that will carry the heavy duty of the three-part form equally well on the thickest and heaviest, or lightest fabric, and which has entire freedom from that painful and never-to-be-forgotten trouble, called the "stitch," is very simple and strong in its construction, offered at the low price of \$50, and warranted to perform perfectly for three years.

Reference given to all persons using Wheeler & Wilson's Machines, of not prejudiced. It will give more pleasure to show these Machines to all persons desirous to purchase or examine a sewing Machine that will not vex and trouble them in its performance.  
C. A. CLARK, Agent.  
Frankfort, Ky.  
Oct. 20, 1858—lf.

WOODFORD FARM,  
STOCK, CROP, &c.,  
At Public Sale.

As Commissioners appointed at the April Term, 1858, of the Woodford Circuit Court, we will, on Thursday, the 11th of November next,

On the premises, sell publicly, to the highest bidder, the Farm owned by the late BEN. P. GRAY. Said Farm is 2½ miles west of Versailles, between the MacCracken's Mill R. R. and the Versailles and Anderson Turnpike, and contains about  
FOUR HUNDRED ACRES  
Of first-rate land in a high state of cultivation. It has upon it every building necessary for convenience—Stock Stables, Shlaughter House, &c. The dwelling is large and almost new. The negroes are being turned out, and the farm is for sale as a whole. It is a simple Stable room for thirty horses; a horse Mill, Sheller and Straw Cutter, driven by horse power; stable room for 30 cows and calves; horse power, wagon sheds, corn cribs, &c.

Around the yard and garden is a perfect Oase Orange hedge; also on each side of the Farm touching the turnpike and dirt road.  
There is an abundant supply of never-failing stock water in every field and pasture.  
There are thirty acres of Wheat, and fifty acres of Barley sown upon the place.  
Also, at the same time, all the Stock on the Farm, consisting of—  
30 HEAD OF COWS AND YOUNG CATTLE;  
10 or 12 WORK HORSES;  
3 MARES WITH FOAL BY A GOOD JACK;



